



USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 6/12/08
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U.S. Department of Justice

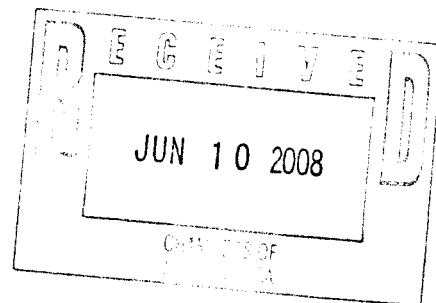
United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

June 9, 2008

By Hand

Hon. Thomas P. Griesa
United States District Judge
United States Courthouse
500 Pearl Street, Room 1630
New York, N.Y. 10007



Re: **United States v. Nicolas Brito,**
08 Cr. 281 (JFK); 08 Cr. 472 (TPG)

Dear Judge Griesa:

I write to advise the Court of the pendency of a related case, Indictment 08 Cr. 281, which is assigned to Judge Keenan, and to request consolidation of the two cases before a single Judge.

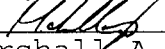
The Indictment pending before Judge Keenan, 08 Cr. 281, was filed on or about March 28, 2008. In connection with a contemplated guilty plea, the defendant agreed to a transfer of a separate and closely-related indictment then pending in the Eastern District of New York, to which he also expects to plead guilty. That indictment was transferred to this District pursuant to Rule 20 and wheeled out to Your Honor on or about May 27, 2008.

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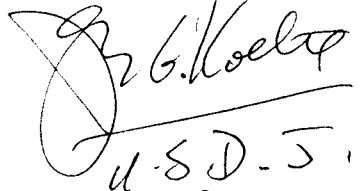
In order to facilitate the entry of guilty pleas and sentencing in these matters, the Government respectfully requests that the two indictments be consolidated before a single Judge. Government counsel has spoken with Your Honor's courtroom deputy clerk, who indicated that the Court would likely consent to consolidation of the matters before Judge Keenan given the earlier pendency of the case assigned to Judge Keenan.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By: 
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Assistant United States Attorney
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cc: Don D. Buchwald, Esq. (by fax: 212-808-7897)

*Pursuant to Judge Griesa's
instructions, this case can be
transferred to Judge Keenan.
So ordered.

J.B. Koeltz
U.S.D.-S.
Part I
6/11/08*